



Ballot Proposition #1 Voter Information Pamphlet

South Jordan, Utah

Election Date: November 8, 2016

SOUTH JORDAN, UTAH
SPECIAL ELECTION
PROPOSITION #1
AN OPINION QUESTION
SHALL A TAX RATE OF 0.000184 BE LEVIED ON EACH PARCEL IN THE KING BENJAMIN AND HOLLAND PARK GATE SSD TO COVER THE COSTS OF MAINTAINING THE GATE ON ENOS WAY?
<ul style="list-style-type: none">• FOR THE TAX LEVY• AGAINST THE TAX LEVY

ELECTION INFORMATION

Election Day: Tuesday, November 8, 2016

To **register to vote**, find out where you vote, and to request an absentee ballot go to: www.vote.utah.gov

Vote by Mail: South Jordan election is all Votes by Mail.

All absentee and vote by mail ballots must be postmarked by November 7, 2016.

Further Information can be found on the Salt Lake County Elections web site: <https://slco.org/clerk/elections/>

Arguments for or against a ballot proposition are the opinions of the authors.

Argument **FOR** Proposition #1:

King Benjamin Holland Park SSD Argument in Support of Tax Levy

In 2011, residents of the King Benjamin Court Subdivision petitioned the City Council to create a special service district ("SSD") to pay for the installation and maintenance of a gate located at the approximate address of 9700 S. Enos Way (1360 W.), in South Jordan City, Utah. The City Council at the time required the interested residents to get approval and signature of at least 70% of the property owners in the King Benjamin Court and Holland Park subdivisions. In 2011, Holland Park was owned by a developer who agreed to gate installation and payment of construction costs on behalf of all future home owners in Holland Park if there was enough interest from King Benjamin Residents.

Over 70% of the King Benjamin property owners signed a petition requesting the gate and agreeing to pay for it. The City Council then created the King Benjamin and Holland Park Gate SSD by passing Resolution R2012-56 and an assessment to pay for the gate construction and maintenance costs was levied.

In June 2013, the City recorded the creation of the SSD and the requirement for residents to pay a yearly assessment on each parcel in the two subdivisions. The assessment is needed to pay for gate maintenance costs which include long term replacement costs, insurance, electricity, and administrative costs.

Some residents have now expressed concern about making a separate payment to the SSD for the assessment cost rather than having the assessed amount levied in their property taxes. Other residents expressed concern about the utility of having a gate at all. To be responsive to the residents, the South Jordan City Council approved R2016-59A to submit for a vote if a tax will be levied on owners of property in the King Benjamin and Holland Park Gate SSD to pay for gate expenses.

Argument in Favor:

Voting yes for the tax levy will allow gate maintenance and other costs to be paid with each parcel's property taxes. A yes vote changes how the gate is paid for from a yearly assessed amount to a tax rate.

Rebuttal to arguments FOR Proposition #1

A tax-levy violates what was originally agreed upon between South Jordan City and the members of the community. The original agreement was not to pay for the gate via property taxes but to pay a set amount over a scheduled time frame via a direct assessment. All residents expected to eventually pay a simple, steady, flat-fee for maintenance after the gate installation was paid for. Never were these costs and fees to be tied to or influenced by property values of homes.

A property tax-levy would present an unfair balance of financial responsibility to all members of the community. Those with a higher property value would end up paying much more than was originally agreed upon when the gate was first installed. In addition, those living in Holland Park would also likely share in the additional \$10,000 owed on the gate installation originally assessed to residents of King Benjamin's Court.

Arguments **AGAINST** Proposition #1

September 2, 2016

This letter is written to express a position against the proposed tax levy for the King Benjamin and Holland Park Gate Special Service District.

Any tax levy created and assessed against homes in both King Benjamin Court and Holland Park will be inequitable and detrimental to the resale and property values of both neighborhoods. The Following will show that the proposed tax levy will be inequitable and detrimental to the properties in the two neighborhoods:

- 1) The tax levy would be inequitable. When the SSD was created it was proposed and implemented so that all homeowners would pay an equal share for the gate cost and maintenance, under the assumption that all properties would equally benefit. By implementing the tax levy those with larger/more valuable homes and will pay a disproportionate share of the SSD cost since the levy would be implemented based on property value. This is not what was agreed to or proposed with the creation of the SSD;
- 2) The tax levy will negatively impact home sales in the two neighborhoods. By placing a tax levy onto the homes, an additional disclosure will be required at the time of sale. This disclosure will impact the perceived value someone is willing to pay for the home and a buyer may elect not to purchase a home because of the tax levy. Adding additional taxes to cover a gate that isn't used and has virtually no purpose is detrimental to the value of our homes!;
- 3) The tax levy and SSD will be more difficult to remove in the future. Should the SSD be assessed through the tax levy, it will create a situation where it will be more difficult to remove the gate and SSD should the residents of the two neighborhoods choose at a future date to remove the SSD and gate. This process to remove a tax levy requires a ballot measure and would be more difficult to remove as opposed to keeping the assessment through the city;
- 4) Creating a Tax Levy decreases the homeowners' control. Changing the way we are assessed for the SSD, we will have less control over what happens with the gate and taxes. A tax levy on the county level moves control of our destiny relating to the SSD and gate even one more step removed. Currently we deal with the City and we will now have the City in between the homeowners and the county creating additional administrative burdens for us. Adding additional governmental entities to the equation allows them to forego accountability relating to the administration of the SSD.
Voting to create a tax levy for the SSD through the county will: payment inequity for the gate, negatively impact future home sales, be more difficult to remove in the future, and move the control and administration of the SSD further from the homeowners. VOTE NO ON THE PROPOSED TAX LEVY!

Rebuttal to arguments AGAINST Proposition #1

This rebuttal addresses the points expressed in the position against the proposed tax levy by correcting inaccurate information, describing the method of collection and addressing the reason the City Council placed this issue on the Ballot.

Collecting the costs of the gate through taxes instead of through a direct assessment by the SSD will not make it more difficult to remove the gate and the SSD. The process to remove the gate and the SSD in the future will be the same under either method of collection.

Collecting the costs for the gate through a tax levy does not decrease the homeowner's control. Residents will still deal exclusively with the SSD / City. The County would only levy the tax. Questions about the gate, including removal, will still be addressed by the SSD / City.

When the gate was initially proposed, residents agreed that if more than 20% of the homeowners did not pay the assessment, the gate and SSD could be removed. During the first year of assessment, more than 20% of homeowners did not pay. When removal was proposed by the Council, many residents objected stating that they understood the payment of the gate would be through their taxes. Based on the comments during public hearings and the Council's direction, a vote for the tax indicates support to keep the gate while a vote against the tax indicates support to remove the gate.